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Order Type: Other

Case Number: 09-57682

Case Name: Craig Lewis Ataide

Related Document Number: 26

Related Document Description: Motion for Relief From Stay

Hearing Date: 12/15/2009

Do it again

EXHIBIT "A"

1 SPENCER P. SCHEER #107750
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11 Attorneys for Secured Creditor
12 CIRCLE BANK

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UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re: Bk. No.09-57682 - ASW
CRAIG LEWIS ATAIDE, Chapter 11
Debtor. R.S. No. RDW-247

ORDER REGARDING CIRCLE BANK'S
MOTION FOR RELIEF FROM THE
AUTOMATIC STAY

Hearing-Motion for Relief from Automatic Stay
Date: December 15, 2009
Time: 2:00 p.m.
Place: Bankruptcy Court
280 S 1st St., Courtroom #3020
San Jose, CA 95113

I.

RECITAL

The Court, after determining that the parties were agreeable to entry of the following, which terms were agreed to by CIRCLE BANK("Secured Creditor"), through its counsel REILLY D. WILKINSON of SCHEER LAW GROUP, LLP and PRO SE DEBTOR CRAIG LEWIS ATAIDE ("Debtor"), and there being Good Cause, makes the following order:

II.

ORDER

1. IT IS ORDERED THAT on or before close of business December 20, Debtor shall pay to Secured Creditor, through its Counsel Scheer Law Group at 155 North Redwood Drive., Ste. 100, San Rafael, CA 94903, in the amount of \$4,526.76, in certified funds.

2. IT IS FURTHER ORDERED THAT, Debtor shall make payments to Secured Creditor, through its Counsel Scheer Law Group at 155 North Redwood Drive., Ste. 100, San Rafael, CA 94903, of \$4,526.76 in certified funds by the twentieth (20th) of each month through April 20, 2010.

3. IT IS FURTHER ORDERED THAT the motion for relief hearing is continued to April 20, 2010 at 2 p.m. before the honorable Judge Arthur S. Weissbrodt.

4. IT IS FURTHER ORDERED that this Order is binding in the event that this matter is converted to any other bankruptcy chapter.

5. IT IS FURTHER ORDERED THAT in the event Debtor fails to make any of the payments described hereinabove, or fails to comply with any conditions of the first trust deed obligation, counsel for Secured Creditor shall file with this Court, and serve by mail upon Debtor Pro Se, a declaration stating a breach of this stipulation has occurred. If within ten (10) days from the date of service of declaration re breach a cure of the breach does not take place, then Secured Creditor shall submit a declaration to the Court that the default has not been cured and an ex parte order vacating the automatic stay which the court shall execute forthwith and without a hearing.

END OF ORDER

COURT SERVICE LIST

CRAIG LEWIS ATAIDE
25480 BOOTS RD.
MONTEREY, CA 93940

UNITED STATES TRUSTEE
OFFICE OF THE U.S. TRUSTEE / SJ
U.S. FEDERAL BLDG.
280 S 1ST ST. #268
SAN JOSE, CA 95113-3004

BAYMARK FINANCIAL INC.
177 BOVET RD., #100
SAN MATEO, CA 94402

U.S. BANKRUPTCY COURT
280 SOUTH FIRST STREET, ROOM 3035
SAN JOSE, CA 95113-3099

MOREY GROSS
C/O LAW OFFICES OF ROUSE & BAHLERT
345 FRANKLIN STREET
SAN FRANCISCO, CA 94102-4427

ROBERT LEE MAY
C/O LAW OFFICES OF ROUSE & BAHLERT
345 FRANKLIN STREET
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RONALD T. KOHEN
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345 FRANKLIN STREET
SAN FRANCISCO, CA 94102-4427

REILLY D. WILKINSON
155 NORTH REDWOOD DR., STE. 100
SAN RAFAEL, CA 94903

11. *Leucosia* (Leucosia) *leucostoma* (Fabricius) (Fig. 11)

Miscellaneous:09-57682 Craig Lewis Ataide

Type: bk

Chapter: 11 v

Office: 5 (San Jose)

Assets: y

Judge: ASW

Case Flag: PlnDue, DsclsDue,
Salinas**U.S. Bankruptcy Court****Northern District of California**

Notice of Electronic Filing

The following transaction was received from Reilly Wilkinson entered on 12/31/2009 at 12:47 PM PST and filed on 12/31/2009

Case Name: Craig Lewis Ataide**Case Number:** 09-57682**Document Number:** 35**Docket Text:**

Certificate of Service (*Order Regarding Circle Banks Motion For Relief From The Automatic Stay*) (RE: related document(s)[26] Motion for Relief From Stay). Filed by Creditor Circle Bank (Wilkinson, Reilly)

The following document(s) are associated with this transaction:

Document description: Main Document**Original filename:** CERTIFICATE OF SERVICE-NORTHERN.pdf**Electronic document Stamp:**

[STAMP_bkeccfStamp_ID=1017961465 [Date=12/31/2009] [FileNumber=12770910-0] [9c31f0069751ac444dff941ecd6addbc00bc6c17b6e3c6f53eece0210df90fbdb31ed840aaad7152856b1216d342f343712fb459ab82840de9a85fd617996bdc]]

09-57682 Notice will be electronically mailed to:

Office of the U.S. Trustee / SJ
USTPRegion17.SJ.ECF@usdoj.gov, ltroxas@hotmail.com

Cheryl C. Rouse on behalf of Creditor E Partners, L.P., a California Limited Partnership
rblaw@ix.netcom.com

Reilly Wilkinson on behalf of Creditor Circle Bank
rwilkinson@scheerlawgroup.com

09-57682 Notice will not be electronically mailed to:

Craig Lewis Ataide
25480 Boots Rd.
Monterey, CA 93940

1 SCHEER LAW GROUP, LLP
2 SPENCER P. SCHEER #107750
3 JOSHUA L. SCHEER #242722
4 REILLY D. WILKINSON #250086
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11 Attorneys for Secured Creditor
12 CIRCLE BANK

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UNITED STATES BANKRUPTCY COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SALINAS DIVISION

In re:

CRAIG LEWIS ATAIDE,

Debtor.

Bk. No. 09-57682 - ASW

Chapter 11

R.S. No. RDW-247

CERTIFICATE OF SERVICE BY MAIL

Hearing-Motion for Relief from Automatic Stay
Date: December 15, 2009
Time: 2:00 p.m.
Place: Bankruptcy Court
280 S 1st St., Courtroom #3020
San Jose, CA 95113

I, AMANDA WYATT, declare that:

I am employed in the County of Marin, State of California. I am over the age of 18 and am not a party to the within action; my business address is 155 N. Redwood Drive, Suite 100, San Rafael, California 94903.

On December 31, 2009, I served the within ORDER REGARDING CIRCLE BANK'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY on the interested parties in this action by placing true and correct copies thereof enclosed in a sealed envelope with postage prepaid in the United States Mail at San Rafael, California, addressed as follows:

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//

1 **DEBTOR – PRO SE**
2 CRAIG LEWIS ATAIDE
3 25480 BOOTS RD.
3 MONTEREY, CA 93940

4 UNITED STATES TRUSTEE
5 OFFICE OF THE U.S. TRUSTEE / SJ
5 U.S. FEDERAL BLDG.
6 280 S 1ST ST. #268
6 SAN JOSE, CA 95113-3004

7 BAYMARK FINANCIAL INC.
8 177 BOVET RD., #100
8 SAN MATEO, CA 94402

9 U.S. BANKRUPTCY COURT
10 280 SOUTH FIRST STREET, ROOM 3035
10 SAN JOSE, CA 95113-3099

11 MOREY GROSS
12 C/O LAW OFFICES OF ROUSE & BAHLERT
13 345 FRANKLIN STREET
13 SAN FRANCISCO, CA 94102-4427

14 ROBERT LEE MAY
15 C/O LAW OFFICES OF ROUSE & BAHLERT
16 345 FRANKLIN STREET
16 SAN FRANCISCO, CA 94102-4427

17 RONALD T. KOHEN
18 C/O LAW OFFICES OF ROUSE & BAHLERT
19 345 FRANKLIN STREET
19 SAN FRANCISCO, CA 94102-4427

20 [X] (By Mail [Federal]) I placed such envelope with postage thereon fully prepaid in the
21 United States mail at San Rafael, California.

22 [] (By Mail [State]) I am readily familiar with Scheer Law Group, LLP's practice for the
23 collection and processing of correspondence for mailing with the United States
24 Postal Service; it is deposited with the United States Postal Service on the same
25 date in the ordinary course of business at the business address shown above; I am
25 aware that on motion of the party served, service is presumed invalid if the postal
25 cancellation date or postage meter date is more than one day after the date of
25 deposit for mailing contained in this declaration.

26 [] (By Personal Service) I caused such envelope to be delivered by hand to the addressee(s).

27 [X] Executed on December 31, 2009, at San Rafael, California.

28 [X] (State) I declare under penalty of perjury under the laws of the State of California that
28 the foregoing is true and correct.

1 [X] (Federal) I declare that I am employed in the office of a member of the Bar at whose
2 direction this service was made.

3 /s/AMANDA WYATT

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